

**Gary L. Phillips**  
General Attorney &  
Assistant General Counsel

SBC Telecommunications, Inc.  
1401 Eye Street, NW,  
Suite 400  
Washington, D.C. 20005  
Phone: 202-326-8910  
Fax: 202-408-8731



December 9, 2004

**Via Electronic Submission**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re:   *Notice of Ex Parte - Unbundled Access to Network Elements; Review of the  
Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers,  
WC Docket No. 04-313; CC Docket No. 01-338***

Dear Ms. Dortch:

On behalf of SBC Communications, Inc. (SBC), James C. Smith, and I, the undersigned, met Tuesday with Jessica Rosenworcel, Legal Advisor to Commissioner Michael Copps. We discussed the positions that SBC has taken on the record in this proceeding with particular emphasis on arguments that the Commission should prohibit special access conversions. We noted in that regard that if a CLEC is already serving a particular customer at a particular location using special access, competition could not be impaired if CLECs are denied the use of UNEs to serve that customer in that location.

Pursuant to 1.1206 of the Commission's Rules, this letter is being filed electronically with the Commission.

Yours truly,

**/s/ Gary L. Phillips**

cc:   Jessica Rosenworcel